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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,020	01/15/2002	William Kress Bodin	AUS920010777US1	5700

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INTERNATIONAL CORP (BLF)  
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EXAMINER
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LIN, KELVIN Y

ART UNIT	PAPER NUMBER
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2142

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/047,020

Applicant(s)

BODIN ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **Detailed Action**

### ***Response to Arguments***

Applicant's arguments, see Remarks from page 2 to 5, filed on Jan. 4, 2007, with respect to the rejection(s) of claim(s) 1-15 under 35 USC 102(e) in view of Elson have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made over Banerjee et al., (PGPUB 2003/0061094) in view of Elson et al., (USPGPUB No. 20030014521).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-15 are rejected under 35 USC 103(a) as being unpatentable over Banerjee et al., (PGPUB 2003/0061094) in view of Elson et al., (USPGPUB No. 20030014521).
2. Regarding claims 1-5, claiming for method of control of collaborative device,

have limitations corresponding to system claims 6-10. Therefore, claims 1-5 are rejected for the same reasons set forth in the rejection of claims 6-10.

3. Regarding claim 6, Elson teaches a system of control of collaborative devices, the system comprising:

- at least two collaborative devices, wherein each collaborative device comprises a client device and an embedded Java server (Banerjee, fig. 1, in which there are a plurality of APD machine, each APD with one embedded server (124) and client device (128) & (122)).
- a registry service to which the collaborative devices are coupled for data communications (Banerjee, [0064]).
- at least one registry table wherein the registry table further comprises registry records, wherein the registry records comprise registry records representing capabilities of collaborative devices, wherein the registry records representing capabilities of collaborative devices further comprise data elements describing, for each collaborative device, capabilities, tertiary relationships, and network connectivity (Banerjee, [0047], in the registry database (corresponding to table) it includes service provision records and the updated states and maintains the an accurate reflection of currently available services in the registry, and information about provider and their services and also updates about provides services and state change that corresponding to the capability of devices, tertiary relationship, among dispensing machine, service

discovery gateway, and central server, and network connectivity, see fig. 1 );

- Banerjee does not specifically disclose the service bundle of OSGI-compliant Java servlet;
- However, Elson discloses a service bundle of OSGI-compliant Java servlets comprising at least one predetermined algorithm for controlling the collaborative devices (Elson, [0025], [0026], in which the service discovery as per Banerjee's teaching );
- It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Banerjee's function of automatic product system with Elson's function of open platform architecture. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have open platform architecture per Elson's teaching to modify in connection with Java environment as per Banerjee's teaching.
- means for controlling the collaborative devices in accordance with the predetermined algorithm (Banerjee, fig. 10 is a predetermined algorithm and presented by the flow block diagram to control the dispensing machine ).

4. Regarding claim 7, Banerjee further discloses the system of claim 6 wherein the predetermined algorithm is dedicated to a particular tertiary relationship, and the

means for controlling the collaborative devices in accordance with predetermined algorithm comprises:

- means for finding a registry record bearing a set point for the particular tertiary relationship (Banerjee,[0047]) ;
- means for reading a sensor value of the particular tertiary relationship; comparing the set point and the sensor value, wherein the comparing produces a comparison result (Banerjee, [0057], using IR sensor to locate the SDG);
- means for finding, in dependence upon the comparison, a registry record having an identified capability appropriate to the comparison result for the particular tertiary relationship (Banerjee, [0057], [0058], upon the comparison of the registry data base, SDG determine whether the service can be invoked remotely );
- means for effecting the capability identified in found registry record (Banerjee, [0058], after SDG formulates the query and send to registry and select the APD machine, and ADP informs the status of the request of the user's service ).

5. Regarding claim 8, Banerjee further discloses the system of claim 7 wherein means for affecting the capability identified in the found registry record includes means for requesting, by use of HTTP request, a URL identified as a network connectivity in the found registry record as a network connectivity (Banerjee, [0050], and HTTP is one of the OSGI feature as per Elson's teaching).

Art Unit: 2142

6. Regarding claim 9, Banerjee further discloses the system of claim 7 wherein

means for reading a sensor value further comprises:

- Means for finding a registry record for a sensor for the particular tertiary relationship (Banerjee, [0057]).
- Means for effecting the capability identified in the found registry record for the sensor (Banerjee, [0057], [0058]).

7. Regarding claim 10, Banerjee further discloses the system of claim 7 wherein

means for affecting the capability identified in the found registry record includes

means for requesting, by use of HTTP request, a URL identified as a network connectivity in the found registry record as a network connectivity (Banerjee, [0058]).

8. Regarding claims 11-15, claiming for computer program product for control of collaborative devices, have limitations corresponding to system claims 6-10.

Therefore, claims 11-15 are rejected for the same reasons set forth in the Rejection of claims 6-10.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to application's disclosure.

- Ludtke, et al., (Patent No. 6496860).
- Atkins (PGPUB 2003/0097410)

Art Unit: 2142

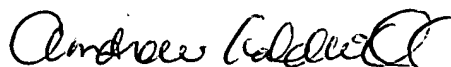
- Peart (PGPUB 2003/0074393)
- Morris (Patent No. 6353848)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/16/07.  
KYL



ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER